

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Douglas Pontius,)	
individually and on behalf of other)	
similarly situated employees,)	
)	Civil Action No. 04-1737
Plaintiffs,)	
v.)	
)	Judge Gary L. Lancaster
Delta Financial Corporation d/b/a)	Magistrate Judge Lisa Pupo Lenihan
Fidelity Mortgage Inc.,)	
)	
Defendant.)	
)	

STIPULATION FOR DISMISSAL

Having fully resolved the disputes herein,

IT IS HEREBY STIPULATED AND AGREED by and between DOUGLAS PONTIUS and all other similarly situated employees who filed written consents to join this action as party plaintiffs pursuant to 29 U.S.C. § 216(b), and Defendant Delta Financial Corporation d/b/a Fidelity Mortgage Inc. (collectively “the Parties”), by and through their undersigned attorneys, that the above-captioned action be dismissed with prejudice on the merits and without costs to any of the Parties pursuant to Federal Rule of Civil Procedure 41(a)(1).

Respectfully submitted this 16th day of April, 2010.

NICHOLS KASTER, PLLP

/s/Timothy C. Selander

Donald H. Nichols, MN Bar No. 78918
Paul J. Lukas, MN Bar No. 22084X
Timothy C. Selander MN Bar No. 0387016
4600 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
(612) 256-3200 (Telephone)
(612) 215-6870 (Fax)

ATTORNEYS FOR PLAINTIFFS

LITTLER MENDELSON, P.C.

/s/Robert W. Pritchard

Robert W. Pritchard, PA Bar No. 76979
EQT Plaza
625 Liberty Ave., 26th Floor
Pittsburgh, PA 15222
412.201.7628 (Telephone)
412.774.1957 (Fax)

Andrew J. Voss, MN Bar No. 241556
1300 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
612.313.7605 (Telephone)
612.630.9626 (Fax)

ATTORNEYS FOR DEFENDANT